

Defendant Sicor, Inc.
and
Sicor Pharmaceuticals, Inc.

Exhibit D

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May 27, 2005

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VIA FACSIMILE

Elizabeth I. Hack
Sonnenschein Nath & Rosenthal LLP
1301 K Street, N.W.
Suite 600 East Tower
Washington, D.C. 20005

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation, MDL 1456

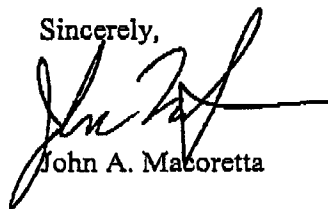
Dear Ms. Hack:

This letter will confirm our telephone conversation of yesterday, regarding Sicor's production of e-mails. You have advised me that Sicor has available to the MDL Plaintiffs e-mails from 1998 through February 2002, that are contained on a previously used e-mail system. Sicor believes its cost to retrieve these e-mails is approximately \$40,000.00, and insists that the Plaintiffs pay such costs. You have further advised me that it would take 8 weeks to retrieve the e-mails, and an additional several months for Sicor's attorneys to review such e-mails prior to production to the MDL Plaintiffs.

I advised you that the MDL Plaintiffs do not believe they were obligated to pay Sicor's cost of retrieving its e-mails, and were not willing to do so. I further advised you that, given the discovery cutoff in this matter of December 3, 2005, the timetable proposed by Sicor to retrieve and produce its e-mails, even if such a process were to begin today, is completely unacceptable.

I believe our conversation and this letter fulfills MDL Plaintiffs' obligations under the District of Massachusetts' Local Rules to meet and confer before filing any discovery motion. Plaintiffs remain available to discuss a resolution of this matter at your convenience.

Sincerely,



John A. Macoretta

JAM/mac

cc: Susan MacMenamin

